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Ian S. Robinson  
Name of Agent                  43,348  
Registration No.  
Ian Robinson  
Signature of Agent

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#4

P&G Case 8439M

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of :  
STEPHEN W. HENDRIX, et al. : Confirmation No. 3129  
Serial No. 10/083,050 : Group Art Unit  
Filed February 26, 2002 : Examiner

For PRE-MOISTENED WIPE WITH IMPROVED FEEL AND SOFTNESS

STATEMENT OF FACTS IN SUPPORT OF  
FILING ON BEHALF OF DECEASED INVENTOR (37 CFR 1.47)

RECEIVED

JUL 15 2002

Assistant Commissioner for Patents

Washington, D.C. 20231  
09/19/2002 AKELLEY 00000019 162480 10083050

01 FC:122 Dear Sirs

OFFICE OF PETITIONS

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This statement is made as to the exact facts that are relied upon to establish the diligent effort made to secure the execution of the Declaration & Global General Assignment by the deceased inventor/legal representative for the above-identified patent application before deposit thereof in the Patent and Trademark Office.

This statement is being made by the available person having first-hand knowledge of the facts recited therein.

Provisional application Serial No. 60/272,618 was filed March 1, 2001 by The Procter & Gamble Company. Mr. Marc F. Richards was named as an inventor in this case and a Global General Assignment was executed by all inventors, then filed in the USPTO and recorded by The Patent Office on July 16, 2001 at Reel 011988, Frame 0958. Since a Declaration is not required for a provisional filing, it was not prepared in this case and inventor's signatures were not obtained. Mr. Marc F. Richards passed away suddenly on July 2, 2001. On February 26, 2002, after the death of Mr. Richards, this application was filed direct in the US as application Serial No. 10/083,050.

On April 25, 2002, a cover letter of instructions from Ian S. Robinson, the Declaration Combined With Power of Attorney, Global General Assignment, and the Republic of China Oath & Assignment were sent to Ms. Susie Richards (Marc Richards' spouse & executor/legal representative). These documents were sent via first-class mail with an enclosed self-addressed stamped envelope to Ms. Susie Richards at the following address: 211 Buckskin, Ormond Beach, Florida 32174 (copies attached).

On May 7, 2002, Mr. Ian S. Robinson received a telephone call from Ms. Susie Richards verifying that she had indeed received the above-mentioned documents and had forwarded them to her attorney for review. She had assured him that they would be returned to Procter & Gamble within a couple of weeks.

On Monday, May 20, 2002, Mr. Ian S. Robinson again received a telephone call from Ms. Susie Richards stating that she refuses to sign any of the documents sent to her on April 25, 2002

because Ms. Susie Richards was concerned that if she signed the documents that she would be held personally liable for matters which she had no involvement and understanding of, namely her late husband's (Mr. Marc Richards) work at Procter & Gamble. Ms. Susie Richards also expressed the concern that if she signed the documents she would additionally expose herself to the possibility of civil and/or criminal liability in countries besides the United States. Ms. Susie Richards further stated that since she had her own business, and traveled internationally in connection with that business, Ms. Susie Richards was unwilling to sign any document which would in her perception increase personal liability and restrict her ability to travel. Ms. Susie Richards additionally stated that she would be returning the documents to Procter & Gamble unsigned.

It is submitted that diligent effort has been made to reach/contact Ms. Susie Richards and that she is refusing to sign the necessary documents in this patent application.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

By Ian Robinson  
Ian S. Robinson

Date: 5/28/02

Customer No. 27752

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Last Revised 12/7/2001)